

Anita Y. Milanovich (Mt. No. 12176)
General Counsel
OFFICE OF THE GOVERNOR
1301 E. 6th Ave.
Helena, MT 59601
Ph.: 406/444-5554
Email: anita.milanovich@mt.gov
Counsel for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

DO NO HARM,

Plaintiff,

v.

GREG GIANFORTE, in his official
capacity as Governor of the State of
Montana,

Defendant.

Case No. 6:24-cv-00024-BMM-KLD

**DEFENDANT’S MOTION TO
DISMISS**

Pursuant to F.R.C.P. 12(b)(1) and L.R. 7.1, Defendant Governor Greg Gianforte moves the Court to grant his *Motion to Dismiss*. As more fully explained in the accompanying brief, the Court lacks subject matter jurisdiction because Plaintiff lacks standing and asserts a claim that is both unripe and moot.

Defendant’s counsel conferred with opposing counsel, who confirmed that Plaintiff opposes this motion.

WHEREFORE, Defendant respectfully requests this Court grant his *Motion to Dismiss*.

Dated: May 3, 2024

Respectfully Submitted,

/s/ Anita Y. Milanovich

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing document was served on Plaintiff via CM/ECF electronic notice.

/s/ Anita Y. Milanovich
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